



THE CITY OF NEW YORK
LAW DEPARTMENT

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March 1, 2024

VIA ECF

The Honorable Ronnie Abrams
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: Bougoura Desire Sango v. City of New York, et al., 24-CV-142 (RA)

Your Honor:

I am an Assistant Corporation Counsel in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and the attorney assigned to the above-referenced matter writing on behalf of defendant City of New York ("City"). Because this case is proceeding pursuant to the Southern District of New York's Plan for Certain Section 1983 Cases against the City of New York, defendant City respectfully requests that the Court adjourn, *sine die*, the Initial Conference currently scheduled for May 31, 2024 at 12:00 p.m. until after the Plan runs its course, i.e. after July 22, 2024. This is the City's first request for an adjournment of the Initial Conference in this matter, and Plaintiff's counsel, Michael B. Palillo, consents to this request.

By way of background, on January 8, 2024, plaintiff filed the instant complaint against the City alleging, *inter alia*, that on May 28, 2023, he was falsely arrested by a number of New York City Police Department officers. On January 9, 2024, this case was designated for participation in Local Civil Rule 83.10 ("the Plan"), and on January 16, 2024, the City was served with the summons and complaint. On February 20, 2024, the City received the relevant N.Y. C.P.L. §160.50 and HIPPA releases. Accordingly, and pursuant to the deadlines set forth in §§ 3, 8 of the Plan, the City's response to the complaint is currently due April 22, 2024, and following the limited discovery schedule, mediation is to be completed by July 22, 2024.

As Your Honor is likely aware, under the terms of the Plan, the parties are to have their Rule 26(f) conference within 14 days after the first defendant files its answer, initial disclosures should be exchanged within 21 days after the first defendant files its answer, and specific documents are to be exchanged between the parties within 28 days after the first defendant

files its answer. (See S.D.N.Y. Local Civ. R. 83.10 §§ 4-5.) All other discovery is stayed, as the parties are then directed to engage in settlement discussions and either have a settlement conference with a Magistrate Judge or a mediation session with a Southern District mediator. (See S.D.N.Y. Local Civ. R. 83.10 §§ 5-8.) Pursuant to § 8 of the Plan, a mediation session should occur no later than 14 weeks after the first defendant files its answer; in this case, and given the current answer deadline of April 22, 2024, the first mediation session should be completed by July 22, 2024. Accordingly, the City respectfully submits that an Initial Conference at this stage is not necessary, as a limited discovery schedule has already been set forth in the Section 1983 Plan, and all other discovery is stayed pending a settlement conference or mediation session.

For the reasons set forth herein, defendant City respectfully requests that the Court adjourn the Initial Conference currently scheduled for May 31, 2024 at 12:00 p.m. to a date and time convenient for the Court after July 22, 2024, which will be when the Plan has run its course.

Thank you for your consideration in this regard.

Respectfully submitted,

/s/ Adam Bevelacqua

Adam Bevelacqua
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To: VIA ECF
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Application granted. The conference scheduled for May 31, 2024 is hereby adjourned to July 26, 2024 at 2:00 p.m.



The Honorable Ronnie Abrams
U.S. District Judge
March 4, 2024